



City of Burien

Media Statement

To respond to media inquiries regarding Burien's recent adoption of a Trespass Ordinance to address behavior problems occasionally arising in public places such as local parks and the City Hall / King County Library, City staff have prepared this statement with input from King County Library System staff. Attached please also find a two-page document describing the main points of the Trespass Ordinance and the adopted ordinance itself.

- Burien adopted a Trespass Ordinance on August 18, 2014. The ordinance provides police officers and local government staff with a tool for dealing with persons whose behavior is dangerous, unsafe, illegal, or unreasonably disruptive to other users of publicly owned property. Administrative rules to implement the ordinance are now in process.
- The ordinance provides authority to issue a "trespass warning" which is a notice issued by a police officer to a person whose behavior falls within one of the specifically and clearly defined types of behaviors in the ordinance.
- The ordinance is intended to help reduce the incidence of unreasonably disruptive, illegal, unsafe and dangerous behaviors that have sometimes occurred on public property. These include: threatening people, harassing people, using aggressive or hostile language, and displaying boisterous physical behavior. Such behaviors impact members of the public and the reasonable use of public spaces for recreation or business purposes.
- Burien worked with the King County Library System (KCLS) to develop the ordinance language, and we reviewed similar ordinances from other public agencies. Burien and KCLS need to create and fairly implement rules to ensure public spaces are safe and welcoming for all users.
- The City has agreed that KCLS will use its own rules, not the ordinance, in dealing with behavioral issues in the Library spaces other than criminal conduct. However, the City and KCLS do intend to cooperate in using the ordinance to manage issues in the commonly-owned spaces in the Library/City Hall building. City facilities and KCLS libraries are public spaces that exist for everyone, and the City and KCLS do not judge how a community member uses the space unless it becomes a disturbance to others.
- Attention has been focused on one example of unreasonably disruptive behavior, body hygiene and odor, which was only one example from a range of behavior problems and not the primary focus. Please see the attachments for a description of the types of behavior the trespass ordinance may be used to address.

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- Rules regarding odor and hygiene are not new, in fact KCLS and other public agencies also employ similar rules and have done so for some time. If the scent is disrupting the use of the library, staff approaches the patron, explains the problem and ask them to leave the library, while encouraging them to visit the library as soon as the problem is corrected. Staff treats all hygiene and scent issues equitably, keeping in mind that strong perfume and cologne can be as offensive and even more impactful on people with allergies as offensive body hygiene can be to others.
- Burien's policies must also be consistent with constitutional rights and protections (speech, assembly). The ordinance explicitly recognizes that members of the public have legitimate interests and rights regarding the use and enjoyment of City and other publicly owned property. An essential and indispensable feature of the ordinance is its guaranteed right of appeal.
- The Burien City Council wants the City staff and Police to implement the City's regulations fairly and incrementally, and we hope that most behavior concerns can be addressed simply and incrementally. If needed the Trespass ordinance can be employed to address significant behavior problems that are unsafe, dangerous, and unreasonably disruptive.
- Questions may be directed to City Manager Kamuron Gurol, (206) 248-5503, kamurong@burienwa.gov, or City Attorney Craig Knutson, (206) 248-5535, craigk@burienwa.gov.

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